

1 AN ACT in relation to public employee benefits.

2 Be it enacted by the People of the State of Illinois,  
3 represented in the General Assembly:

4 Section 5. The Illinois Pension Code is amended by  
5 changing Section 5-154 as follows:

6 (40 ILCS 5/5-154) (from Ch. 108 1/2, par. 5-154)  
7 Sec. 5-154. Duty disability benefit; child's disability  
8 benefit.

9 (a) An active policeman who becomes disabled on or after  
10 the effective date as the result of injury incurred on or  
11 after such date in the performance of an act of duty, has a  
12 right to receive duty disability benefit during any period of  
13 such disability for which he or she does not have a right to  
14 receive salary, equal to 75% of the current salary attached  
15 from time to time to the rank held by the policeman at the  
16 time of removal from the police department payroll. In the  
17 case of a policeman receiving a duty disability benefit under  
18 this Section on the effective date of this amendatory Act of  
19 the 92nd General Assembly, the increase in benefit provided  
20 by this amendatory Act, if any, shall begin to accrue on  
21 January 1, 2002, regardless of whether removal from the  
22 payroll occurred before the effective date of this amendatory  
23 Act. his salary, as salary is defined in this Article, at the  
24 time the disability is allowed; or in the case of a policeman  
25 on-duty disability who returns to active employment at any  
26 time for a period of at least 2 years and is again disabled  
27 from the same cause or causes, 75% of his salary, as salary  
28 is defined in this Article, at the time disability is  
29 allowed; provided, however, that:

30 (i) If the disability resulted from any physical  
31 defect or mental disorder or any disease which existed at

1 the-time-the-injury-was-sustained, or-if--the--disability  
2 is-less-than-50%-of-total-disability-for-any-service-of-a  
3 remunerative-character, the-duty-disability-benefit-shall  
4 be-50%-of-salary-as-defined-in-this-Article.

5 (ii)--Beginning--January-1, 1996, no-duty-disability  
6 benefit-that-has-been-payable-under-this-Section--for--at  
7 least--10--years--shall--be--less-than-50%-of-the-current  
8 salary-attached-from-time-to-time-to-the-rank-held-by-the  
9 policeman--at--the--time--of--removal--from--the--police  
10 department--payroll,--regardless--of-whether-that-removal  
11 occurred-before-the-effective-date-of-this-amendatory-Act  
12 of-1995. Beginning-on-January-1, 2000, no-duty-disability  
13 benefit-that-has-been-payable-under-this-Section--for--at  
14 least--7--years--shall--be--less--than-60%-of-the-current  
15 salary-attached-from-time-to-time-to-the-rank-held-by-the  
16 policeman--at--the--time--of--removal--from--the--police  
17 department--payroll,--regardless--of-whether-that-removal  
18 occurred-before-the-effective-date-of-this-amendatory-Act  
19 of-the-92nd-General-Assembly.

20 (iii)--If-the-Board-finds-that-the-disability-of-the  
21 policeman-is-of-such-a-nature-as--to--permanently--render  
22 him--totally--disabled--for-any-service-of-a-remunerative  
23 character, the-duty-disability-benefit-shall--be--75%--of  
24 the-current-salary-attached-from-time-to-time-to-the-rank  
25 held--by--the--policeman--at-the-time-of-removal-from-the  
26 police-department-payroll.--In-the-case--of--a--policeman  
27 receiving-a-duty-disability-benefit-under-this-Section-on  
28 the--effective--date--of--this-amendatory-Act-of-the-92nd  
29 General-Assembly, the-increase--in--benefit--provided--by  
30 this--amendatory-Act, if-any, shall-begin-to-acerue-as-of  
31 the-date-that-the-Board-makes--the--required--finding--of  
32 permanent-total-disability, regardless-of-whether-removal  
33 from--the--payroll--occurred-before-the-effective-date-of  
34 this-amendatory-Act.

1 (b) The policeman shall also have a right to child's  
 2 disability benefit of \$100 per month for each unmarried  
 3 child, the issue of the policeman, less than age 18, but the  
 4 total amount of child's disability benefit shall not exceed  
 5 25% of his salary as defined in this Article. The increase  
 6 in child's disability benefit provided by this amendatory Act  
 7 of the 92nd General Assembly applies beginning January 1,  
 8 2000 to all such benefits payable on or after that date,  
 9 regardless of whether the disabled policeman is in active  
 10 service on or after the effective date of this amendatory  
 11 Act.

12 (c) Duty disability benefit shall be payable until the  
 13 policeman becomes age 63 or would have been retired by  
 14 operation of law, whichever is later, and child's disability  
 15 benefit shall be paid during any such period of disability  
 16 until the child attains age 18. Thereafter the policeman  
 17 shall receive the annuity provided in accordance with the  
 18 other provisions of this Article.

19 (d) A policeman who suffers a heart attack during the  
 20 performance and discharge of his or her duties as a policeman  
 21 shall be considered injured in the performance of an act of  
 22 duty and shall be eligible for all benefits that the City  
 23 provides for police officers injured in the performance of an  
 24 act of duty. This subsection (d) is a restatement of  
 25 existing law and applies without regard to whether the  
 26 policeman is in service on or after the effective date of  
 27 Public Act 89-12 or this amendatory Act of 1996.

28 (Source: P.A. 92-52, eff. 7-12-01.)

29 Section 90. The State Mandates Act is amended by adding  
 30 Section 8.26 as follows:

31 (30 ILCS 805/8.26 new)

32 Sec. 8.26. Exempt mandate. Notwithstanding Sections 6

1 and 8 of this Act, no reimbursement by the State is required  
2 for the implementation of any mandate created by this  
3 amendatory Act of the 92nd General Assembly.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.